



NEW YORK STATE SENATOR

David Carlucci

## Senator Carlucci & NYS Department of State Offers Consumers Holiday Shopping Tips

DAVID CARLUCCI November 27, 2013

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**NEW YORK DEPARTMENT OF STATE'S DIVISION OF CONSUMER PROTECTION REVIEWS TOP-FIVE SHOPPING COMPLAINTS**

**DURING HOLIDAY SEASON**

*New York State Offers Consumers Useful Tips for Smart Holiday Shopping*

The New York Department of State's Division of Consumer Protection was joined today by representatives of the Retail Council of New York and the Rockland County Office of Consumer Protection to highlight the five consumer complaints most commonly file with the Division during the holiday shopping season. The groups provided information to help consumers avoid inconveniences and make holiday shopping safe, less stressful and more rewarding, and held an awareness event at the Palisades Center Mall in West Nyack, NY.

"The Division of Consumer Protection's primary mission is to protect the interest of consumers and to provide them with tools to ensure that their business transactions are stress-free and enjoyable," stated Deputy Secretary Marcos Vigil.

"This holiday season we have chosen to highlight the most prevalent shopping complaints and provide consumers with useful information to avoid any of these pitfalls. We encourage you to support your local businesses and to use all the tools you have at your disposal to shop wisely for the holidays."

Senator David Carlucci (D-Rockland/Westchester) said, "With the holiday season approaching many residents will be flooding our commercial centers here in Rockland looking for the perfect gift for their family and friends. Whether it's at the newly opened Shops at Nanuet or right here in the Palisades Mall we're here today to give shoppers helpful tips to avoid any issues this holiday season. This helpful information will act as a resource to make sure your shopping is stress free while cracking down on illegal activity from shady businesses."

"The Retail Council is pleased to partner with the Division of Consumer Protection throughout the year to ensure that the shopping experience in New York State is always a positive one," said Ted Potrikus, Executive Vice President of the Retail Council of New York State. "This time of year, it's especially important to retailers small and large that our

shoppers and guests are happy and satisfied -- so please be sure to ask us questions and do what you need to be confident that you're getting the best service and value for your money!"

"During the holiday season consumers should be careful to assure they are not taken advantage of and remember that an ounce of prevention helps to protect them from problems that arise in the marketplace." Stated Terry D. Grosselfinger, Rockand County Director of Consumer Protection.

They offered the following tips for consumers:

### **1. Know a Store's Refund and Exchange Policy**

Stores are required to state their policies in a visible location by the cash register or on the receipt of purchase. Inquire as to the store's refund and exchange policy, including the amount of time allowed for these transactions. Keep the receipt of purchases, and be careful not to purchase a gift too far in advance because refund deadlines may prevent a late return

### **2. Read the Fine Print when Shopping Online**

Deal with reputable online merchants, and guard personal and financial information. Make every attempt to conduct business with familiar or recommended online retailers. It is important to review the merchant's terms and conditions ("fine print") and understand product and purchase details, including price, size, quality, shipping and handling fees and return and refund policies. Also, be aware in most cases purchasers remain liable for sales tax on items purchased online even if it is not collected by the merchant. Print out or save an electronic copy of the receipt and confirmation information. Also, print, date and save a copy of the terms, conditions, warranties, item description and information about the company for future reference.

### **3. Check Items Immediately on Delivery**

The Division of Consumer Protection has dealt with numerous complaints citing incorrect merchandise delivery, late arrival of orders and lost articles. Inquire whether a shipping option will allow online tracking of shipping. Read and understand the shipping and handling, return, and refund policies. Inspect purchases carefully once received. Contact the seller about merchandise problems as soon as possible, and inform the seller in writing about problems, and to ask for a repair or refund. Keep a copy of the correspondence, and report any damages to the package delivery company, which may provide repair or replacement costs.

#### **4. Understand Guarantees and Warranties**

Find out if the product comes with a guarantee or warranty for defects, especially electronics and large ticket items. Be familiar with the procedures to make a warranty claim, as often items must be returned to the manufacturer and not the merchant. Before purchase, be aware of all applicable shipping and handling and restocking fees associated with a return

#### **5. Understand Contracts Associated with Cellular/Wireless Purchases**

Always ask the retailer to explain and point out the specific sections of the contract that dictate monthly charges, early termination fees and replacement of lost or damaged equipment before signing up for a phone and data plan. Be aware of overage charges for data and text messaging, and research your existing insurance policies before purchasing one offered by a retailer or wireless carrier. Signed contracts are legally binding. Most providers will charge a fee if service is cancelled. Consider all options before choosing a specific plan. Remember, it is usually easier to upgrade a plan later, so when possible, buy only the essential features.

The Division of Consumer Protection operates a toll-free hotline to help resolve concerns and complaints consumers may have about purchases. The number is [1-800-697-1220](tel:1-800-697-1220). Consumers may also visit our website at [www.dos.ny.gov](http://www.dos.ny.gov) to obtain further information and /or file an online complaint.

The Division of Consumer Protection wishes all New Yorkers a safe and happy holiday season. And we hope that when you shop, you'll consider supporting New York State's local retailers.

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**IMG\_1512 From Left to Right:**

Deputy Secretary Marcos Vigil  
Ted Potrikus  
Kris Kringle (Santa Claus)  
Senator David Carlucci  
Director of Division of Consumer Protection Aiesha Battle  
Rockland County Director of Consumer Protection Terry Grosselfinger